IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.910 OF 2007

Mr.Ajay Uttam Pawar ...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Mr.A.P.Mundargi i/b. Kanchan Kambli, Adv.
for the Applicant.
Smt.A.S.Pai, APP, for the State.

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WITH
CRIMINAL APPLICATION NO.911 OF 2007

Mr.Ishwarlal Ganpatrao Warvadkar...Applicant.

Versus

The State of Maharashtra ...Respondent.

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Mr.V.M.Thorat Adv. for the Applicant.
Smt.A.S.Pai, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : 13th April, 2007.

P.C.:

1. Heard the learned Advocate for the Applicants and the learned APP for the State.

2. The applicants are seeking anticipatory bail in C.R.No.23 of 2007 of Pandharpur Police

Station, District Solapur. The said case is mainly under Sections 420, 467 of IPC.

3. It is alleged by the prosecution that at the relevant time, the applicant-Ajay Uttam Pawar was Tehsildar at Pandharpur and applicant-I.G.Warvadkar was the Supply Inspector, Tahsil Office, Pandharpur. It is further alleged that they being the public servants and incharge of the goods, have misappropriated food grains worth a huge amount. Hence, FIR came to be lodged against them.

5. The learned counsel for the applicants have submitted that after their applications for anticipatory bail were rejected by the Sessions Court the applicants have come in possession of certain documents at Exh.1 collectively annexed to the affidavit filed in the present case, which falsify the case of the prosecution.

6. Looking to the fact that the applicants have came into possession of these documents after their applications for anticipatory bail were rejected by the Sessions Court, in my opinion,

liberty ought to be granted to the applicants to prefer fresh applications for anticipatory bail before the concerned Sessions Court. The applicants are granted liberty to prefer fresh applications for anticipatory bail before the concerned Sessions Court. The concerned Sessions Court shall hear the anticipatory bail applications afresh and decide the same on merits after taking into consideration these documents and any further documents which may be produced by the applicants. The said application shall be disposed of without being influenced by the earlier orders rejecting the applications of these applicants for anticipatory bail.

7. The applicants have already been protected upto 13th April, 2007. The said protection is extended upto 25th April, 2007 to enable the applicants to approach the concerned Sessions Court.

8. Criminal Applications are disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)